IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29792 of 2008

RAKESH SAH @ RAKESH GUPTA, S/O- SRI LALJI PRASAD GUPTA, RESIDENT OF VILLAGE-GHOSAWA, P.S.- SAIDRAJA, DIST. CHANDAULI(U.P.) PRESENT RESIDENT OF TILAK NAGAR, WARD NO. 5, CHANDAULI, P.S.- CHANDAULI, DIST. CHANDAULI (U.P.)

Versus

1. **STATE OF BIHAR**
2. **RAM KISHUN GUPTA, S/O- LATE SHYAM LAL GUPTA, R.O.- VILL.-SARIYA, P.S.- DURGAWATI, DIST.-KAIMUR (BHABUA)**
3. **MEERA DEVI, W/O- RAKESH SAH, D/O- RAM KISHUN GUPTA, R/O- SARIYA, P.S.- DURGAWATI, DISTRICT- BHABUA AT KAIMUR.**

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4 27.11.2008 Heard learned counsel for the petitioner, for the State and Opposite party no. 2.

The petitioner is the husband apprehending arrest in a complaint case under sections 498A, 406 of Indian Penal Code and section 4 of D.P. Act.

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The allegations themselves are of an earlier panchayati against harassment. The petitioner before the Court below declined to consider revival of matrimonial harmony when before this Court, he does a sommer sault.

In order to enable him to make up his mind, let the petitioner abovenamed surrender before the court below within four weeks when he shall be enlarged on anticipatory bail for a period of six months upon furnishing the bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kaimur (Bhabua) in connection with Complaint case no. 1100/2007.

On the date the petitioner furnishes his bail bonds, the

Court below shall issue notice to the complainant through her counsel representing her in the complaint case.

If during this period of six months based on subsequent developments to his advantage before the court below, the petitioner appears physically and surrenders to the jurisdiction of the court below, his application for regular bail shall be considered in the light of developments without being prejudiced by the limited grant of anticipatory bail.

pkj **(Navin Sinha, J)**

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